

Application No.: 10/645,259
Response dated: October 16, 2006
Reply to Office Action dated: June 16, 2006

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REMARKS/ARGUMENTS

Claims 1-33 are pending in the application. Claims 34-52 were previously cancelled, and claims 2 and 19 are hereby cancelled without prejudice or disclaimer. Claims 1, 3 and 13 are amended. Claims 53-63 are added. Claims 1 and 13 are rejected under 35 U.S.C. §102(e) as being anticipated by Otsuka et al., hereinafter ("Otsuka"), U.S. Patent No. 6,717,772.

Applicants gratefully acknowledge the Office Action's indication claims 2-12 and 14-33 would be allowable if rewritten in independent form. *See* Office Action dated 6/16/2006, paragraph 3. As such, independent claim 1 is rewritten to include the allowable subject matter of claim 2, and is therefore allowable in its present form. Independent claim 13 is rewritten to include the allowable subject matter of claim 19, and is therefore allowable in its present form. New claim 53 includes the allowable subject matter of claims 10 and 25, and therefore is allowable as well. Dependent claims 3-12, 14-18, 20-33, and 54-63 are allowable as depending from allowable base claims. Applicants reserve the right to pursue the subject matter of any cancelled claims in future continuing applications.

Based on the arguments above, reconsideration and withdrawal of the rejection of claims 1 and 13 under 35 U.S.C. §102(e) is respectfully requested.

For all the above reasons, the Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

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The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to the deposit account of Kenyon & Kenyon LLP, deposit account no. 11-0600.

Respectfully submitted,

KENYON & KENYON LLP

Dated: October 16 2006

By: 

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